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Attorneys for Defendant UNUM LIFE
INSURANCE COMPANY OF AMERICA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRUCE KNIESPECK

No. CIV.S 01-0878 WBS PAN

Plaintiff,

vs.

**FURTHER STIPULATION TO CONTINUE
AUGUST 3, 2009 HEARING ON
DEFENDANT'S MOTION FOR RELIEF,
AND ORDER THEREON**

UNUM LIFE INSURANCE COMPANY OF
AMERICA, et al
Defendants.

Original Date: August 3, 2009
Proposed Date:

IT IS HEREBY STIPULATED between the parties hereto, by and through their respective attorneys of record herein, that the hearing on Defendant UNUM Life Insurance Company of America's *Motion for Relief from Judgment and Order Awarding Costs, Interest and Attorney Fees to Plaintiff in Light of Appellate Court Reversal [Fed.R.Civ.P. 60]* be

1 continued from August 3, 2009 to some time after October 5, 2009, at the Court's convenience.

2 Good cause exists therefor in that the plaintiff Bruce Kniespeck filed a Petition for
3 Rehearing, or for Rehearing *en Banc*, of the Ninth Circuit's January 14, 2009 decision, which
4 reversed and vacated this Court's judgment, and that petition is still pending. The stipulated
5 continuance is to allow sufficient time for the Ninth Circuit to determine whether to grant or
6 deny plaintiff's petition.

7 Respectfully submitted.

8 RIMAC & MARTIN
9 A Professional Corporation

10 Dated: July 14, 2009

By: /s/ ANNA M. MARTIN
ANNA M. MARTIN
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Attorneys for Defendant
UNUM LIFE INSURANCE COMPANY
OF AMERICA

14 deVRIES LAW FIRM

15 Dated: July 14, 2009

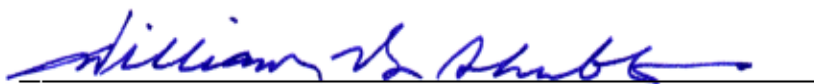
By: /s/ DOUGLAS K. deVRIES
DOUGLAS K. deVRIES
Attorney for Plaintiff
BRUCE KNIESPECK

18 **ORDER**

19
20 IT IS HEREBY ORDERED that the hearing on defendant's *Motion for Relief from*
21 *Judgment and Order Awarding Costs, Interest and Attorney Fees* in this matter be continued
22 from August 3, 2009 to **October 13, 2009 at 2:00 p.m.**

23 **SO ORDERED.**

24 Dated: July 16, 2009

25 

26 WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE
28